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AIR ENFORCEMENT BRANCH,  
U.S. EPA, REGION 5



**PILLSBURY WINTHROP LLP**

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August 27, 2004

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Jeffrey Bratko  
Environmental Scientist  
Air and Radiation Division  
United States Environmental Protection Agency  
Region 5  
77 West Jackson Boulevard  
AE-17J  
Chicago, IL 60604-3590

Re: Morgan Electro Ceramics

Dear Mr. Bratko:

We appreciate the time you and your colleagues took on August 17<sup>th</sup> to discuss the issues raised in the July 2004 Finding of Violation and the November 2003 Finding of Violation and Notice of Violation addressed to Morgan Electro Ceramics. I think it was an extremely useful and productive meeting. As promised, I will call Ms. Tennenbaum on September 7<sup>th</sup> to continue our discussions and hopefully we will resolve all remaining issues promptly.

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I am enclosing with this letter several documents that we undertook to forward to you:

- (1) A timeline that summarizes all relevant permit activities related to vapor degreasers at the Electro Ceramics site. We discussed this timeline in some detail during our meeting; if you have any questions about it, please let us know and we will be glad to address them.
- (2) A chart that shows calculations for PTE for all units during their periods in service at the site, using the equation in 40 C.F.R. § 63.465(e)(1) as compared to the alternative method in 40 C.F.R. § 63.464. As we discussed, under the alternative standard, PTE at all times was well below 50% of the major source threshold of 10 tons a year.



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Thus, the Company was eligible for minor source status and was eligible for a deferral from Title V filing requirements until December 9, 2005. The confusion generated during discussions and correspondence with the permitting authority played a substantial role in the Company's decision making process concerning permitting matters and any errors that occurred should be viewed within that context.

- (3) A timeline for the unit designated P019 and L003. You mentioned during the meeting that one element in your proposed penalty calculations arose from a failure by the Company to have a state operating permit for this unit after February 16, 1996. However, as we described during the meeting, the Company submitted a timely renewal application and the permitting authority never sent a final permit to the Company, despite efforts by the Company to obtain one. I have also enclosed a copy of the renewal application itself. I believe the failure of the permitting authority to act to renew a valid operating permit, one that would have been unchanged from earlier ones, should not be part of the penalty calculations, since the Company did make a timely effort to obtain a renewal.

If you have any questions or require additional information, please let me know. As we reiterated during our meeting, Morgan Electro Ceramics would like to resolve this matter expeditiously and will continue to work with you to achieve that result.

Sincerely,

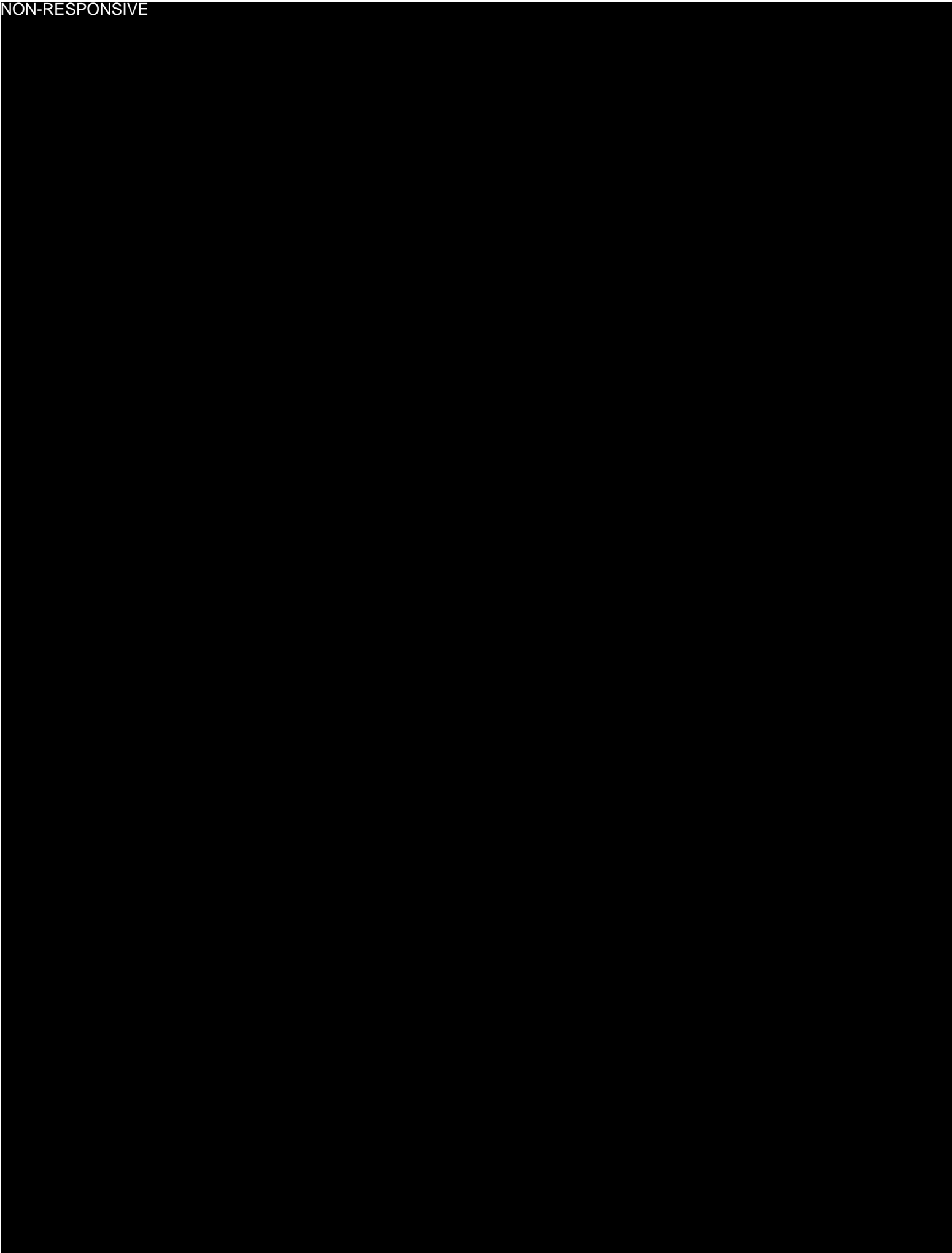
Aileen Meyer

cc: Susan Tennenbaum  
William L. MacDowell  
William Hovevar  
Tim Jones  
Michael Wentzel  
Chuck Taylor

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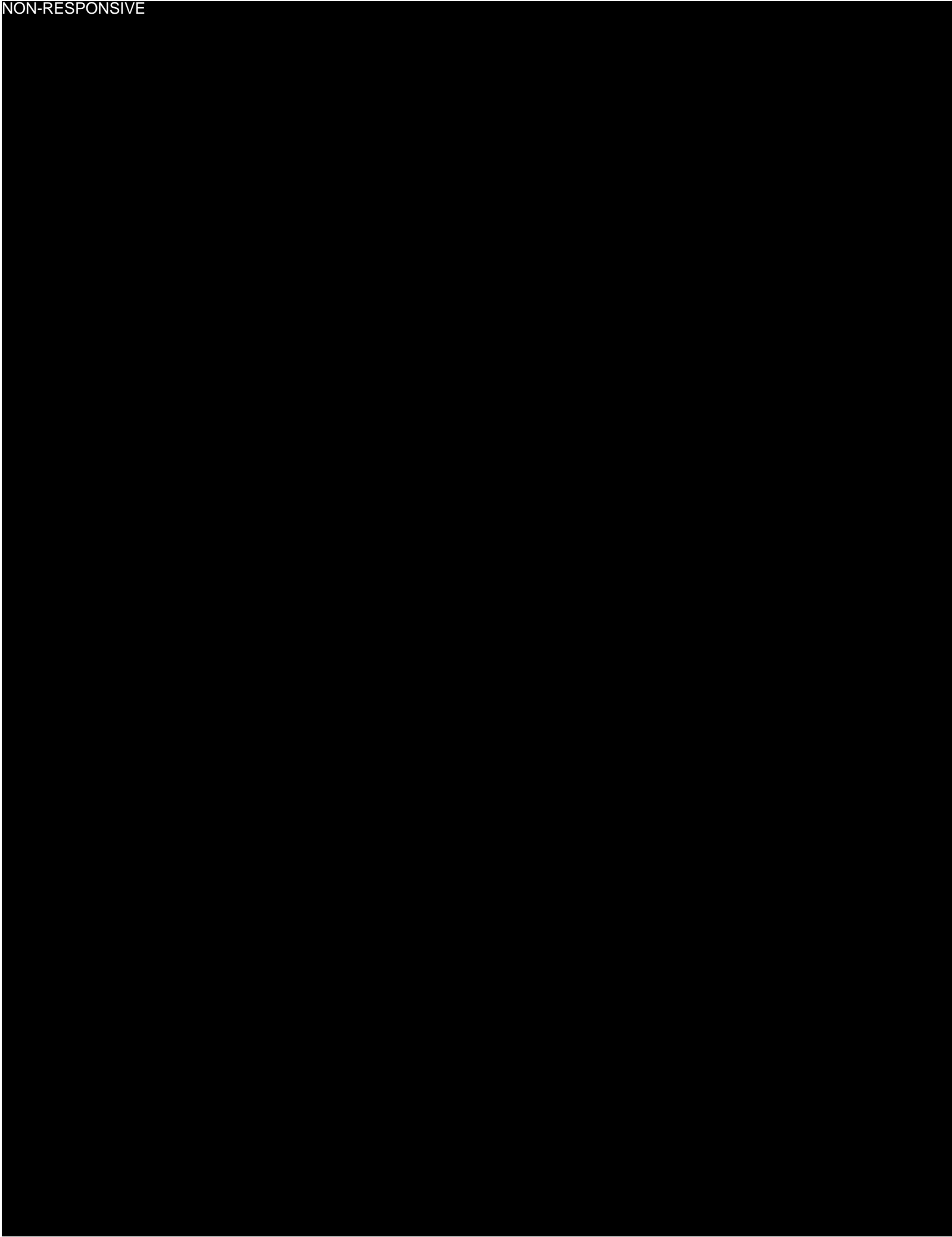
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